

	Newington Police Department General Order	Number 1.4
Conducted Electrical Weapons		
Chapter 1 – Law Enforcement Role and Authority		
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1. Definitions:

- A. Conducted Electrical Weapon (CEW): The CEW is a less-lethal weapon designed to disrupt a subject’s motor nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.
- B. Less Lethal Force: A use of force which is less likely to cause death or serious physical injury.
- C. Active Resistance: Any physical act undertaken by a subject, against an officer, that could reasonably defeat a lawful attempt by the officer to gain control of the subject.

2. Policy:

- A. This policy covers the use of Conducted Electrical Weapons. It is the policy of the Newington Police Department that members follow the guidelines delineated in General Order 1.3 Use of Force when it is necessary to use force in the performance of their duties.
- B. It shall be the policy of the Newington Police Department that when a subject is injured through any use of a CEW, the officer shall offer the injured party medical assistance when such medical assistance is reasonably necessary. In the case of obvious physical injury or when otherwise prudent, the officer shall request medical dispatch.
- C. It shall be the policy of the Newington Police Department that following any use of a CEW, a written report will be generated and filed to accommodate CEW use tracking. In addition to a written incident report, a Use of Force Report will be completed. Reports must be completed in their entirety and specifically describe the justification for the use of force, including events and communications leading up to the physical confrontation, the subject’s behavior, the environment in which the incident took place, and any injuries sustained by anyone during the event.
- D. It shall be the policy of the Newington Police Department that all written reports generated regarding the use of a CEW be promptly reviewed by a supervisor to determine that the use of the CEW was appropriate. The supervisor’s findings regarding the deployment of the CEW shall be documented in the Use of Force Report. Should a determination be made by the supervisor that the use of the CEW was questionable or inappropriate; the matter shall be referred to the officers Division Commander for further review and determination of compliance with current department policy.
- E. It shall be the policy of the Newington Police Department that all sworn personnel including Animal Control Officers have access to the Departmental CEW policy and receive training as to its content prior to obtaining authorization to carry a CEW. CEWs may only be used by sworn personnel including Animal Control Officers who have satisfactorily completed this agency’s approved training.
- F. It shall be the policy of the Newington Police Department that the Patrol Division Commander will conduct an annual review of all CEW uses in the field in order to evaluate policy compliance. The commander will then file a written report to the Chief of Police of their findings and include any recommendations.
- G. Beginning January 1, 2016, it shall be the policy of the Newington Police Department to complete the POSTC EDW/CEW Annual Report Form as required by statute. Said report form is to be submitted to the State of Connecticut Criminal Justice Policy and Planning Division within the Office of Policy and Management no later than January 15th covering the preceding calendar year. Per statute the report is required to be completed for any deployment of the CEW against any individual within the calendar year; any department authorizing the deployment of a CEW but not having any deployments within that calendar year, and by any department not authorizing the deployment of the CEW.

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3. Wearing of the CEW:

- A. The device shall be carried in an approved holster on the side of the body opposite the service handgun if it is to be worn in a waist holster or a thigh holster. Officers not assigned to uniformed patrol may be authorized to utilize other Department-approved holsters and carry the weapon consistent with Department training and the requirement as set out in this paragraph.
- B. The device shall be carried in accordance with manufacturer’s recommendations and Department training. The CEW shall be pointed in a safe direction during loading, unloading, spark testing or when handled in other than an operational deployment.
 - 1. The CEW should be spark tested at the beginning of each shift to ensure it is functioning properly, and that all batteries and electronic components are performing adequately.
- C. Officers authorized to use the device shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure, the need for redeployment, or in case the first cartridge’s leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training. Officers working a uniformed assignment as a first responder shall carry the spare cartridge with them. Any cartridges replaced will be consistent with the manufacturer’s expiration requirements.

4. Use of the CEW:

- A. Recognizing that it may not always be possible to do so, a supervisor should be requested to respond to the scene of a potential or completed CEW application.
- B. As in all uses of force, certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when using a CEW against persons of small stature irrespective of age, or those who the officer has reason to believe are equipped with a pacemaker, or in obvious ill health.
- C. Upon firing the device, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.
- D. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure. Each application of the CEW should be independently justifiable. The subject should be secured as soon as practical while disabled by the CEW to minimize the number of energy cycles.
- E. Whenever possible, prior to a CEW use, a loud, clear warning of a CEW deployment should be made. When aiming the CEW at a subject, officers should adhere to the manufacturer’s preferred target zones whenever reasonably possible. Officers should take into consideration the capabilities and limitations of the CEW whenever employing it at close quarters.
- F. A CEW should be aimed by use of the aiming laser(s) when possible. Fixed sights shall be used when the laser sight(s) are ineffective or as a secondary aiming tool. If either of these mechanisms is faulty it is the responsibility of the officer to notify their first line supervisor for repair or replacement prior to their tour of duty.
- G. The device may also be used in certain circumstances in a “drive stun” mode. Use of the CEW in drive stun mode, from a policy perspective, is no different than a cartridge deployment. It is important to note that when the device is used in this manner, it is primarily a pain compliance tool; is minimally effective compared to a conventional cartridge deployment; and is more likely to leave marks on the subject’s skin.
- H. Officers should not intentionally activate more than one CEW at a time against a subject.
- I. The CEW shall not be used:

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1. In a punitive or coercive manner;
2. On a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion;
3. On any suspect who does not demonstrate an overt intention (1) to use violence or unreasonable force against themselves, the officer or another person, or (2) to flee and actively resist arrest.

Note: Officers should weigh the necessity for the use of a CEW to control a subject. The use of a CEW should not be used to control subjects fleeing from minor crimes such as Larceny 6th unless additional circumstances are present, and the officer feels they need the CEW to protect themselves or others. Additional circumstances may include the inability to apprehend a subject due to the officers' exhaustion, or the difference in size between the officer and suspect.

4. On a female who the officer knows, or reasonably believes, is visibly pregnant, unless deadly force is the only other option.
 5. On a person who the officer knows, or reasonably believes, to be under the age of ten (10) or over the age of seventy (70), due to the potential for falling when incapacitated, unless the encounter rises to a deadly force situation.
 6. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane);
 7. In any environment where the subject's fall could reasonably result in serious physical injury or death (such as in water or on an elevated structure).
5. Medical Attention:
- A. Any subject against whom a CEW is used shall be evaluated by qualified medical personnel. Qualified medical personnel include medical professionals including medical doctors, licensed nurses, EMS first responders, or police officers certified in the use of a CEW and currently certified at no less than the Emergency Medical Responder (EMR) level (formerly known as Medical Response Technician (MRT)). The Department must also be cognizant of any medical regulations or guidelines regarding CEW's asserted by any medical authority having jurisdiction over the agency in whose jurisdiction the CEW is used.
 - B. Probes that have entered the skin shall only be removed under proper medical authority. Newington Police Officers who are certified CEW end users may remove probes if they are not imbedded in sensitive areas of the body. Example; genitalia, eyes, throat, breasts.
 - C. The following persons shall be transported to a hospital for examination following exposure to a CEW. Any person who:
 1. Loses consciousness, exhibits irregular breathing or is known to be under the influence of drugs or medications;
 2. Is hit in a sensitive area (e.g., face, head, female breasts, male groin);
 3. Does not appear to recover properly after being energized;
 4. Has been energized more than three times or has been subjected to a continuous energy cycle of 15 seconds or more;
 5. Has had more than one CEW effectively used against him or her in any given incident;
 6. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to CEW deployment;
 7. Is in a potentially susceptible population category, including children, the elderly, persons of

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small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health;

8. Exhibits bizarre or violent behavior, including self-mutilation;
9. Is naked in a public place or exhibits signs of overheating;
10. Evidences slurring or slowness of speech.

6. Use of CEW by Animal Control Officers

- A. It shall be the policy of the Newington Police Department that when an Animal Control Officer (ACO) is on duty, they will be permitted to carry and use a CEW. The main purpose for carrying a CEW is to protect themselves from aggressive animals. ACOs may also deploy the CEW to protect themselves from physical injury when retreat is not reasonable or to protect others from physical injury by hostile individuals.
- B. It is the responsibility of ACOs to follow all applicable guidelines contained in this order. Any CEW deployments should be reported to the Support Services Supervisor who oversees the ACO program or the Shift Supervisor in their absence.

7. Evidence Collection

- A. After discharge of the CEW and when feasible, the following items will be collected, packaged, and secured as evidence:
 1. CEW Probes;
 2. Cartridges;
 3. Wire Leads; and
 4. AFIDS (Anti-Felon Identification). Only a sample is required with the location collected from noted.
 5. Data download.
 6. Photos of probe impact site when appropriate.

By Order of: _____

Stephen M. Clark
Chief of Police

Date